



U S ENVIRONMENTAL PROTECTION AGENCY - NEW ENGLAND

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SUBJ: Technical Support Document Maine's Amendments to Chapter 110.

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On 23 August, 1996, the State of Maine formally submitted a request to revise their State Implementation Plan to include a revision to Chapter 110, Ambient Air Quality Standards. This change establishes a PSD increment for particulate matter based on particles with a mean aerodynamic diameter of 10 microns (PM10) instead of total suspended particulate (TSP).

BACKGROUND

On July 1, 1987 EPA published new rules (52 FR 24634) which revised the primary (health) and secondary (public welfare) NAAQS for particulate matter in 40 CFR 50.6. The changes included the following:

1. Particulate matter with a mean aerodynamic diameter of less than 10 microns (PM10) replaces TSP as the NAAQS for particulate matter.
2. The 24 hour primary NAAQS becomes a PM10 value of 150 ug/m³.
3. The annual geometric mean TSP value is replaced by an annual arithmetic mean of 50 ug/m³ measured as PM10.
4. Secondary 24 hour and annual NAAQS are set equal to the new primary NAAQS.

States were required to submit SIP revisions addressing these changes within 9 months of the effective date of the new NAAQS. On 13 July, 1988, ME DEP revised Chapter 110 to make

PM10 the standard for particulate matter. EPA approved this SIP Revision on 23 March 1993 (58 FR 15422). At that time, the only area in Maine that was not in attainment for PM10 was Presque Isle. On 30 August 1995, Presque Isle was redesignated to attainment for PM10 (60 FR 45056).

On June 3, 1993, EPA promulgated a revision (58 FR 31622) which replaced TSP with PM10 in the Prevention of Significant Deterioration (PSD) program, and the NSR program for attainment area pollutants. The current SIP Revision would revise Maine's rules to include this change.

In July, 1997, EPA introduced a new standard for fine particulates (62 FR 38652) and also redefined the PM10 standard. A Circuit Court Decision recently stayed the redefined standard. That decision retained the 1987 standard, on which this SIP Revision is based.

TECHNICAL EVALUATION

Maine's proposed SIP Revision will revise Chapter 110. Specifically, in subparagraph 10(A), which establishes increments, the phrase "total suspended particulate" is replaced by "particulate matter (measured as PM10)." The change also changes the averaging method from the geometric mean to the arithmetic mean and incorporates the PSD increments listed in 40 CFR 51.166: for Class I areas an annual increment of 4 ug/m³ and a 24-hour increment of 8 ug/m³; for Class II areas an annual increment of 17 ug/m³ and a 24-hour increment of 30 ug/m³; and for Class III areas an annual increment of 34 ug/m³ and a 24-hour increment of 60 ug/m³.

Forty CFR 81 lists all areas in Maine as being either "better than national standards" or "cannot be classified" for TSP, so they do not ask to redesignate any areas for TSP.

Maine includes three instances where certain emissions increases may be excluded from the increment: concentrations attributable to the increase in emissions from stationary sources which have converted from the use of petroleum products, natural gas, or both by reason of an order which is in effect under the provisions of sections 2(a) and (b) of the Federal Energy Supply and Environmental Coordination Act of 1974 over the emissions from such sources before the effective date of such an order; concentrations of PM10 attributable to the increase in emissions from construction or other temporary emission-related activities; and increases attributable to new sources outside the United States over the concentrations attributable to existing sources which are included in the baseline concentration. All of these exclusions are permitted under 40 CFR 51.166(f)(1).

PROCEDURAL REQUIREMENTS

This SIP Revision will revise Chapter 110. On 24 July 1996, Maine's Board of Environmental Protection adopted Chapter 110 as revised. Maine submitted this revision to EPA in a letter dated 23 August 1996 from James P. Brooks, Maine Department of Environmental Protection Air Bureau Director, representing the Governor, to Susan Studlien, Deputy Director of the Office of Ecosystems Protection, EPA New England.

The SIP submittal was deemed technically and administratively complete on 30 September 1996.

ME DEP provided a public comment period. A Public Hearing was scheduled for 10 April 1996, but was postponed due to inclement weather and was held on 12 June 1996. Notice of the public hearing was published in the Kennebec Journal on 9 May 1996 and in other newspapers on 22 May 1996. No comments related to this action were received.

The rulemaking meets the requirements for a Table 3 action, as defined in 54 FR 2214-2225. As such it can be approved by the Regional Administrator without approval or concurrence by Headquarters.

RECOMMENDATION FOR PROPOSED ACTION

EPA should adopt the SIP Revision requested by Maine. This is a Table 3 action and can be accomplished as a direct final rulemaking.